IPE 40 B

2161 1/21 (09-04) FW

PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE of a collection of information unless it displays a valid OMB control number. Paperwork Reduction Act of 1995, no persons are required to respond to Application Number 10/064,477 TRANSMITTAL Filing Date July 18, 2002 First Named Inventor **FORM** Andrew E. Fano Art Unit 2161 **Examiner Name** Cindy Nguyen (to be used for all correspondence after initial filing) Attorney Docket Number Total Number of Pages in This Submission 33836.00.0032 **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences 1 Appeal Communication to TC Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final Proprietary Information Provisional Application Power of Attorney, Revocation Affidavits/declaration(s) Change of Correspondence Address Status Letter Other Enclosure(s) (please Identify Terminal Disclaimer Extension of Time Request below): -return postcard **Express Abandonment Request** Request for Refund CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Vedder, Price, Kaufman & Kammholz, P.C. Signature Rechmy Printed name Christopher J. Reckamp Date Reg. No. November 10, 2005 34,414 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Christine A. Wright Typed or printed name November 10, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



ITED STATES PATENT AND TRADEMARK OFFICE Applicant: Andrew E. Fano

Serial No.: 10/064,477

Filing Date: July 18, 2002

Confirmation No.: 9683

Examiner: Cindy Nguyen

Art Unit: 2161

Docket No.: 33836.00.0032

Title: MEDIA INDEXING BEACON AND CAPTURE DEVICE

Mail Stop Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Certificate of First Class Mailing I hereby certify that this paper is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA, 22313-1450, on this date.

Date

## **AMENDMENT AND RESPONSE**

Dear Sir:

In response to the Office Action mailed August 10, 2005, Applicant submits the following amendment and remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 9 of this paper.